

## § 294.201

(k) Whenever a requester brings suit seeking to compel disclosure of confidential commercial information, OPM shall promptly notify the submitter.

[57 FR 32150, July 21, 1992]

### Subpart B—The Public Information Function

#### § 294.201 Public information policy.

(a) In addition to the basic policies of the Office relative to the disclosure of information when requested by a member of the public, the Office has an independent public information policy for bringing to the attention of the public through news releases, publications of the Office, or other methods, information concerning the functions of the Office as a Federal agency, and the programs administered by the Office.

(b) The Assistant Director for Public Affairs carries out the public information policy of the Office. In addition, each employee of the Office shall cooperate in carrying out this policy.

[50 FR 3310, Jan. 24, 1985]

### Subpart C—Office Operations

#### § 294.301 Policy and interpretations.

(a) Statements of Office policy and interpretations of the laws and regulations administered by the Office which the Office has adopted, whether or not published in the FEDERAL REGISTER, are available to the public.

(b) Generally, memoranda, correspondence, opinions, data, staff studies, information received in confidence, and similar documentary material, when prepared for the purpose of internal communication within the Office or between the Office and other agencies, organizations, or persons, are not available to the public.

[50 FR 3310, Jan. 24, 1985, as amended at 66 FR 66710, Dec. 27, 2001]

### Subpart D—Cross References

#### § 294.401 References.

The table below provides assistance in locating other OPM regulations in title 5 of the Code of Federal Regula-

## 5 CFR Ch. I (1–1–09 Edition)

tions that have provisions on the disclosure of records:

Type of information	Location
Classification appeal records .....	511.616.
Classification information .....	175.101.
Employee performance folders .....	293.311.
Examination and related subjects records.	300.201.
Grade and pay retention records .....	536.405.
Investigative records .....	736.104.
Job grading reviews and appeals records.	532.707.
Medical information .....	297.205 and 293 subpart E.
Official Personnel Folders .....	293.311.
Privacy and personnel records .....	297.
Retirement .....	831.106 and 841.108.

[54 FR 25098, June 13, 1989, as amended at 58 FR 32046, June 8, 1993; 70 FR 31286, May 31, 2005]

## PART 295—TESTIMONY BY OPM EMPLOYEES RELATING TO OFFICIAL INFORMATION AND PRODUCTION OF OFFICIAL RECORDS IN LEGAL PROCEEDINGS

### Subpart A—General Provisions

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295.101 Scope and purpose.  
295.102 Applicability.  
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### Subpart B—Requests for Testimony and Production of Documents

295.201 General prohibition  
295.202 Factors OPM will consider.  
295.203 Filing requirements for demands or requests for documents or testimony.  
295.204 Service of subpoenas or requests.  
295.205 Processing demands or requests.  
295.206 Final determination.  
295.207 Restrictions that apply to testimony.  
295.208 Restrictions that apply to released records.  
295.209 Procedure when a decision is not made prior to the time a response is required.  
295.210 Procedure in the event of an adverse ruling.

### Subpart C—Schedule of Fees

295.301 Fees.

### Subpart D—Penalties

295.401 Penalties.

AUTHORITY: 5 U.S.C. App. (Sec. 1103, Civil Service Reform Act of 1978; 31 U.S.C. 9701).